

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

FEB 26 2001

PATRICK FISHER
Clerk

GEORGE ALLEN WILLIAMS,

Plaintiff-Appellant,

v.

CITY OF COLORADO SPRINGS;
THE BOARD OF COUNTY
COMMISSIONERS OF EL PASO
COUNTY; FOURTH JUDICIAL
DISTRICT OF COLORADO,

Defendants-Appellees.

No. 00-1380
(D.C. No. 00-D-436)
(D. Colo.)

ORDER AND JUDGMENT *

Before **EBEL** , **PORFILIO** , and **LUCERO** , Circuit Judges.

After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist the determination of this appeal. See Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument.

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

Plaintiff seeks review of the district court's order granting defendants' motions to dismiss his action, brought pursuant to 42 U.S.C. § 1983 and alleging various violations of his constitutional rights. Essentially he claimed he was subjected to several warrantless arrests in his home; that subsequent bail was excessive; that he was denied access to the courts (in part because of an inadequate law library); and that he was denied court-appointed counsel and a twelve person jury in municipal court in Colorado Springs, Colorado. He also claims he was denied the free exercise of his religion and the right to protect himself from aggravating his disability. He further complained of being strapped to an immobilizing board and being housed with convicted felons.

The district court carefully considered plaintiff's claims, accepting those well-pleaded allegations as true and construing them in the light most favorable to him. The court ultimately concluded that plaintiff had failed to state a claim upon which relief could be granted.

Upon de novo review, see GFF Corp. v. Associated Wholesale Grocers, Inc., 130 F.3d 1381, 1384 (10th Cir. 1997), we affirm the district court for substantially the reasons set forth in the court's order of August 31, 2000, dismissing this action.

AFFIRMED. The mandate shall issue forthwith.

Entered for the Court

John C. Porfilio
Circuit Judge